

REMARKS

Claims 1-16 are pending in the present application. By this amendment, claims 6 and 13 are amended. Applicant respectfully requests reconsideration of the present claims in view of the foregoing amendments and the following remarks.

I. Claim Rejections

Claim Rejections Under 35 U.S.C. §101

Claims 6 and 13 are rejected under 35 U.S.C. §101 because the claims are allegedly non-statutory as not being tangibly embodied in a manner so as to be executable. Accordingly, claims 6 and 13 have been amended to recite a tangible medium. Therefore, withdrawal of the rejection is respectfully requested.

Claim Rejections Under 35 U.S.C. §102

Claims 1-16 are rejected under 35 U.S.C. §102(e) as allegedly being anticipated by United States Patent No. 6,988,194 to Nunn et al. (hereinafter “Nunn”). Applicant respectfully traverses this rejection.

A. Claims 1-7 are allowable.

Claim 1 recites that a method for specifying a boot order for a plurality of mass storage devices within a computer system comprises providing a single user interface menu through which the boot order for the computer system may be specified by arranging in order identifiers corresponding to each of the plurality of mass storage devices, wherein the identifiers are obtained from a data structure identifying each of the plurality of mass storage devices within the computer system.

Nunn does not teach or suggest a method for specifying a boot order for a plurality of mass storage devices within a computer system as recited by claim 1. On the contrary, Nunn describes a method for maintaining a user selected boot order including determining whether a device change (*e.g.*, device removal, device addition, device replacement) is detected, and if a device change is detected, then determining whether a device that was previously present in a system has been removed from the system or if a

device has been added to the system. If a determination is made that a device that was previously in the system has been removed from the system, then Nunn describes accessing a list that indicates a boot order of boot devices selected by a user and storing a dormant indicator in the entry of the list associated with the device that has been removed from the system. If a determination is made that a device has been added to the system, then Nunn describes determining whether the added device is a same type of device as any dormant device in the boot order; if so, then replacing the dormant device with the added device in the boot order; and if not, then adding a new entry at the end of the boot order for the added device. Whether a device is removed, replaced, or added, Nunn describes maintaining a boot order selected by a user.

This is not analogous to the method recited by claim 1 because Nunn fails to teach or suggest providing a single user interface menu *through which the boot order for the system may be specified by arranging in order identifiers corresponding to each of the plurality of boot devices in the system*. Instead, Nunn describes accessing a list that indicates a boot order of boot devices selected by a user either to store a dormant indicator in an entry of the boot order associated with a device that has been removed from the system, to replace an entry of the boot order associated with a device that has been removed from the system with a device of a similar type added to the system, or to add an entry at the end of the boot order of a device added to the system in order to maintain a boot order previously selected by a user, without teaching or suggesting providing a single user interface menu *through which the boot order for the system may be specified by arranging identifiers corresponding to each of the plurality of boot devices in the system*. The purpose of Nunn is to maintain a boot order of devices, not to provide a single user interface menu through which the boot order may be specified by arranging identifiers corresponding to each of the boot devices in the system. Moreover, the lists taught by Nunn indicating the boot order may include devices that are not in the system (*i.e.*, the devices in the list including the dormant indicator), which is not analogous to the method recited by claim 1.

Further, Nunn fails to teach or suggest that the entries in the list indicating the boot order are obtained from a data structure identifying each of the plurality of boot devices within the system. Nunn describes that each entry in the boot order includes

information that identifies its associated boot device but fails to teach or suggest from where the entries are obtained.

For at least the reasons given above, claim 1 is allowable over Nunn. Since claims 2-7 depend from claim 1 and recite further claim features, Applicant respectfully submits that Nunn does not anticipate Applicant's claimed invention as embodied in claims 2-7. Accordingly, withdrawal of these rejections is respectfully requested.

B. Claim 8-14 are allowable.

Claim 8 recites that a method for specifying a boot order for a plurality of mass storage devices within a computer system, each of the plurality of mass storage devices being a one of one or more mass storage device types comprises determining for each of the plurality of mass storage device types whether more than one mass storage device exists of the device type within the computer system; providing a boot order menu including one or more menu items, the menu items comprising either a menu item corresponding to a mass storage device type for which more than one device of the device type exists or a menu item corresponding to the mass storage device for each of the mass storage device types for which only one device of the type exists, the menu items of the boot order menu being orderable to specify the boot order for the computer system; providing a device type menu for each of the menu items of the boot order menu corresponding to the mass storage device types for which more than one mass storage device exists within the computer system, the device type menu including entries corresponding to each of the mass storage devices of the device type, and the entries of the device type menu being orderable to specify the boot order for each of the mass storage devices of the device type; and attempting to boot the computer system from the plurality of mass storage devices in the order specified by the boot order menu.

Before discussing how claim 8 distinguishes over the teaching of Nunn, Applicant would like to respectfully note that the current Office Action fails to specifically point out how Nunn teaches each and every recitation of claim 8. Instead, the Office Action notes that Nunn allegedly teaches claim 8, but only compares Nunn to the recitations of claim 1. However, claim 1 and claim 8 of the current application include different recitations. Since the Office Action fails to specifically point out how Nunn teaches each and every

recitation of claim 8, Applicant respectfully requests that any further Office Action received regarding the current application not be made final.

Nunn does not teach or suggest a method for specifying a boot order for a plurality of mass storage devices within a computer system, each of the plurality of mass storage devices being a one of one or more mass storage device types as recited by claim 8. In contrast, Nunn describes a method for maintaining a user selected boot order including determining whether a device change (*e.g.*, device removal, device addition, device replacement) is detected, and if a device change is detected, then determining whether a device that was previously present in a system has been removed from the system or if a device has been added to the system. If a determination is made that a device that was previously in the system has been removed from the system, then Nunn describes accessing a list that indicates a boot order of boot devices selected by a user and storing a dormant indicator in the entry of the list associated with the device that has been removed from the system. If a determination is made that a device has been added to the system, then Nunn describes determining whether the added device is a same type of device as any dormant device in the boot order; if so, then replacing the dormant device with the added device in the boot order; and if not, then adding a new entry at the end of the boot order for the added device.

This is not analogous to the method recited by claim 8 because Nunn fails to teach or suggest determining for each of the plurality of boot device types whether more than one boot device exists of the device type within the system and providing a boot order menu including one or more entries comprising either an entry corresponding to a boot device type for which more than one boot device of the device type exists or an entry corresponding to the boot device for each of the boot device types for which only one boot device of the type exists. Instead, Nunn describes accessing *a list that may include an entry for each boot device in a system* depending on a boot order selected by a user regardless of boot device type, without teaching or suggesting determining for each boot device type whether one or more boot device exists of the device type within the system and providing a boot order menu including either an entry corresponding to a boot device type for which more than one boot device of the device type exists or an entry corresponding to the boot device for each of the boot device types for which only one boot

device of the type exists. The list described by Nunn includes entries for each boot device, not for a boot device type.

Moreover, Nunn fails to teach or suggest providing a boot device type menu for each of the entries of the boot order menu corresponding to the boot device types for which more than one boot device exists within the system, the device type menu including entries corresponding to each of the boot devices of the device type. Instead, as noted above, Nunn describes accessing *a list that may include an entry for each boot device in a system* depending on a boot order selected by a user, without teaching or suggesting providing a device type menu for entries of the list corresponding to boot device types for which more than one boot device exists within the system.

For at least the reasons given above, claim 8 is allowable over Nunn. Since claims 9-14 depend from claim 8 and recite further claim features, Applicant respectfully submits that Nunn does not anticipate Applicant's claimed invention as embodied in claims 9-14. Accordingly, withdrawal of these rejections is respectfully requested.

C. Claim 15-16 are allowable.

Claim 15 recites that a method for specifying a boot order for a plurality of mass storage devices within a computer system, each of the plurality of mass storage devices being a one of one or more mass storage device types comprises providing a computer BIOS operative to permit the boot order of the mass storage devices to be specified in one of two possible modes of operation, wherein the first mode of operation comprises, providing a single user interface menu through which the boot order for the computer system may be specified by arranging in order identifiers corresponding to each of the plurality of mass storage devices, and wherein the second mode of operation comprises, determining for each of the plurality of mass storage device types whether more than one mass storage device exists of the device type within the computer system, providing a boot order menu including one or more menu items, the menu items comprising either a menu item corresponding to a mass storage device type for which more than one device of the device type exists or a menu item corresponding to the mass storage device for each of the mass storage device types for which only one device of the type exists, the menu items of the boot order menu being orderable to specify the boot order for the

computer system, providing a device type menu for each of the menu items of the boot order menu corresponding to the mass storage device types for which more than one mass storage device exists within the computer system, the device type menu including entries corresponding to each of the mass storage devices of the device type, and the entries of the device type menu being orderable to specify the boot order for each of the mass storage devices of the device type, and attempting to boot the computer system from the plurality of mass storage devices in the order specified by the boot order menu.

Before discussing how claim 15 distinguishes over the teaching of Nunn, Applicant would like to respectfully note that the current Office Action fails to specifically point out how Nunn teaches each and every recitation of claim 15. Instead, the Office Action notes that Nunn allegedly teaches claim 15, but only compares Nunn to the recitations of claim 1. However, claim 1 and claim 15 of the current application include different recitations. Since the Office Action fails to specifically point out how Nunn teaches each and every recitation of claim 15, Applicant respectfully requests that any further Office Action received regarding the current application not be made final.

Nunn does not teach or suggest a method for specifying a boot order for a plurality of mass storage devices within a computer system, each of the plurality of mass storage devices being a one of one or more mass storage device types as recited by claim 15. On the contrary, Nunn describes a method for maintaining a user selected boot order including determining whether a device change (*e.g.*, device removal, device addition, device replacement) is detected, and if a device change is detected, then determining whether a device that was previously present in a system has been removed from the system or if a device has been added to the system. If a determination is made that a device that was previously in the system has been removed from the system, then Nunn describes accessing a list that indicates a boot order of boot devices selected by a user and storing a dormant indicator in the entry of the list associated with the device that has been removed from the system. If a determination is made that a device has been added to the system, then Nunn describes determining whether the added device is a same type of device as any dormant device in the boot order; if so, then replacing the dormant device with the added device in the boot order; and if not, then adding a new entry at the end of

the boot order for the added device. Whether a device is removed, replaced, or added, Nunn describes maintaining a boot order selected by a user.

This is not analogous to the method recited by claim 15 because Nunn fails to teach or suggest providing a first mode of operation including providing a single user interface menu *through which the boot order for the system may be specified by arranging in order identifiers corresponding to each of the plurality of boot devices in the system*. Instead, Nunn describes accessing a list that indicates a boot order of boot devices selected by a user either to store a dormant indicator in an entry of the boot order associated with a device that has been removed from the system, to replace an entry of the boot order associated with a device that has been removed from the system with a device of a similar type added to the system, or to add an entry at the end of the boot order of a device added to the system in order to maintain a boot order previously selected by a user, without teaching or suggesting providing a single user interface menu *through which the boot order for the system may be specified by arranging identifiers corresponding to each of the plurality of boot devices in the system*. The purpose of Nunn is to maintain a boot order of devices, not to provide a single user interface menu through which the boot order may be specified by arranging identifiers corresponding to each of the boot devices in the system. Moreover, the lists taught by Nunn indicating the boot order may include devices that are not in the system (*i.e.*, the devices in the list including the dormant indicator), which is not analogous to the method recited by claim 15.

Moreover, Nunn fails to teach or suggest providing a second mode of operation including determining for each of the plurality of boot device types whether more than one boot device exists of the device type within the system and providing a boot order menu including one or more entries comprising either an entry corresponding to a boot device type for which more than one boot device of the device type exists or an entry corresponding to the boot device for each of the boot device types for which only one boot device of the type exists. Instead, Nunn describes accessing *a list that may include an entry for each boot device in a system* depending on a boot order selected by a user regardless of boot device type, without teaching or suggesting determining for each boot device type whether one or more boot device exists of the device type within the system

and providing a boot order menu including either an entry corresponding to a boot device type for which more than one boot device of the device type exists or an entry corresponding to the boot device for each of the boot device types for which only one boot device of the type exists. The list described by Nunn includes entries for each boot device, not for a boot device type.

Moreover, Nunn fails to teach or suggest providing a boot device type menu for each of the entries of the boot order menu corresponding to the boot device types for which more than one boot device exists within the system, the device type menu including entries corresponding to each of the boot devices of the device type. Instead, as noted above, Nunn describes accessing *a list that may include an entry for each boot device in a system* depending on a boot order selected by a user, without teaching or suggesting providing a device type menu for entries of the list corresponding to boot device types for which more than one boot device exists within the system.

For at least the reasons given above, claim 15 is allowable over Nunn. Since claim 16 depends from claim 15 and recites further claim features, Applicant respectfully submits that Nunn does not anticipate Applicant's claimed invention as embodied in claim 16. Accordingly, withdrawal of these rejections is respectfully requested.

CONCLUSION

For at least these reasons, Applicant asserts that the pending claims 1-16 are in condition for allowance. Applicant further asserts that this response addresses each and every point of the Office Action, and respectfully requests that the Examiner pass this application with claims 1-16 to allowance. Should the Examiner have any questions, please contact Applicant's attorney at 404.815.1900.

Respectfully submitted,

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